



41 3621
Patent
Attorney Docket No. 034105-002

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

David C. Halliday et al.

Application No.: 09/965,623

Filing Date: September 26, 2001

Group Art Unit: 3621

Examiner: CRISTINA O SHERR

Confirmation No.: 2492

Title: METHOD AND APPARATUS FOR THE ACCURATE METERING OF SOFTWARE APPLICATION
USAGE AND THE REPORTING OF SUCH USAGE TO A REMOTE SITE ON A PUBLIC NETWORK

FIRST
INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER

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GROUP 3621

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a FIRST Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- No additional fee for submission of an IDS is required.
- The fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- A statement under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- Charge _____ to Deposit Account No. 02-4800 for the fee due.
- A check in the amount of \$ 180.00 is enclosed for the fee due.
- Charge _____ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By

Claude A.S. Hamrick

Registration No. 22,586

Date: July 12, 2004

07/16/2004 HLE333 00000038 09965623

01 FE:1806

100.00-0P

BURNS DOANE

BURNS, DOANE, SWECKER & MATHIS LLP
INTELLECTUAL PROPERTY LAW

FIRST
INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER

(4/04)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

David C. Halliday et al.

Application No.: 09/965,623

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For: METHOD AND APPARATUS FOR THE
ACCURATE METERING OF
SOFTWARE APPLICATION USAGE
AND THE REPORTING OF SUCH
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PUBLIC NETWORK

Group Art Unit: 3621

Examiner: CRISTINA O SHERR

Confirmation No.: 2492



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JUL 20 2004
GROUP 3600

FIRST INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98.

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed. However, copies of the listed U.S. patents and U.S. patent application publications are not enclosed since it is no longer required according to the July 11, 2003 waiver of the requirement for copies of cited U.S. patents and U.S. patent application publications in national patent applications filed after June 30, 2003 and international applications entering the national stage under 35 U.S.C. § 371 after June 30, 2003.

The documents are being submitted after a first Office Action on the merits but prior to the closing of prosecution, therefore under 37 C.F.R. § 1.97(c), the fee set forth in 37 C.F.R. § 1.17(p) is enclosed.

I, the undersigned, hereby state that no item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable

FIRST Information Disclosure Statement

Application No. 09/965,623

Attorney's Docket No. 034105-002

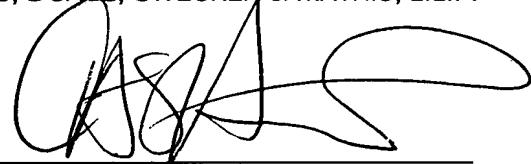
Page 2

inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three (3) months prior to the filing of this Information Disclosure Statement.

To assist the Examiner, the document is / documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.



By:

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Date July 12, 2004

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FIRST INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Sheet 1 of 1

Complete if Known

Application Number	09/965,623
Filing Date	September 26, 2001
First Named Inventor	David C. Halliday et al.
Examiner Name	CRISTINA O SHERR
Attorney Docket Number	034105-002

WIL 15 2004

JUL 15 2004

U.S. PATENT DOCUMENTS

Examiner Initials <i>JUL 13 2004</i> <i>TRADEMARK OFFICE</i>	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)
	5,495,411		Ananda	02-27-1996
	5,790,664		Coley, et al.	08-04-1998
	5,852,812		Reeder	12-22-1998
	5,935,243		Hasebe, et al.	08-10-1999
	5,943,650		Kanno	08-24-1999
	6,023,766		Yamamura	02-08-2000
	6,029,145		Barritz, et al.	02-22-2000
	6,049,786		Smorodinsky	04-11-2000
			RECEIVED	
			JUL 20 2004	
			GROUP 3600	

FOREIGN PATENT DOCUMENTS

NON-PATENT LITERATURE DOCUMENTS

Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

Examiner Signature _____ Date Considered _____

***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.